



**Heal the Bay**

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July 16, 2018

Deborah Smith, Executive Officer  
California Regional Water Quality Control Board  
Los Angeles Region  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

*Sent via e-mail to: [losangeles@waterboards.ca.gov](mailto:losangeles@waterboards.ca.gov)*

## **RE: TRASH TMDL ALTERNATIVE COMPLIANCE AND DGR FREQUENCY REDUCTIONS**

Dear Ms. Smith:

Heal the Bay is a nonprofit organization with over 15,000 members dedicated to making the coastal waters and watersheds of Greater Los Angeles safe, healthy and clean. On behalf of Heal the Bay, I respectfully submit the following comments in response to the Trash TMDL Alternative Compliance and DGR Frequency Reduction requests submitted by various cities under the Los Angeles River Watershed and Ballona Creek Trash TMDLs.

The daily generation rate (DGR) is the average amount of litter disposed each day within a specific drainage area, and is used to estimate the amount of trash discharged during a rain event<sup>1</sup>. Under the 2007 Los Angeles River Watershed Trash TMDL, annual recalculation of the DGR is required to measure the effectiveness of source reduction measures to assist cities in achieving the zero trash numeric target of the TMDL, and to identify any compliance regression. Until a minimum of 99% compliance is achieved to demonstrate source reduction effectiveness, annual DGR studies must be conducted to identify where and how improvements in source reduction can be made. Therefore, we recommend approval of requests from cities that are currently between 99% and 100% compliance, conditional approval of requests from cities that have achieved a minimum of 97% compliance and have clear and substantial plans for additional source reduction, and denial of requests from cities that are below 97% compliance and that do not have clear and substantial plans for additional source reduction.

Additionally, if the frequency of DGR calculations are reduced from annually to once every five years, the Trash TMDL Annual Report (Annual Report) must include monitoring sufficient to ensure that there are no reductions in implementation of capture devices and institutional controls. There must also be a new section under the Annual Report to summarize research done to determine whether significant changes in land use have occurred within the specified drainage area. If either implementation reduction or significant changes in land use are identified, annual DGR studies must be reinstated.

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<sup>1</sup> Los Angeles Regional Water Quality Control Board. 2007. Los Angeles River Watershed Trash TMDL.



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We do not contest the requests submitted by the cities of Alhambra<sup>2</sup>, Arcadia<sup>3</sup>, Downey<sup>4</sup>, Glendale<sup>5</sup>, Inglewood<sup>6</sup>, Paramount<sup>7</sup>, Pico Rivera<sup>8</sup>, Signal Hill<sup>9</sup>, South Gate<sup>10</sup>, South Pasadena<sup>11</sup> or Temple City<sup>12</sup> to reduce the frequency of DGR studies from annually to once every five years. Each of these cities has been working towards compliance with the trash TMDL requirements, and are currently between 99% and 100% compliance, demonstrating effective trash pollution source reduction.

We also do not contest the requests submitted by the cities of Monterey Park<sup>13</sup>, Lynwood<sup>14</sup> or Pasadena<sup>15</sup> to reduce the frequency of DGR studies from annually to once every five years. These three cities are between 97% and 99% compliance, with clear plans to exceed 99% compliance by installing additional full or partial capture systems in 2018. However, these requests must only be approved if the 2018 Annual Reports confirm that the planned projects were implemented and that each city was successful in achieving a minimum of 99% compliance.

We have some concerns about the requests submitted by the cities of Burbank<sup>16</sup>, Long Beach<sup>17</sup> and South El Monte<sup>18</sup> to reduce the frequency of DGR studies from annually to once every five years. These three cities are between 98% and 99% compliance, but unlike the cities of Monterey Park, Lynwood and Pasadena, these three cities provide no clear plan to improve source reduction effectiveness. Action can still be taken, with the installation of additional full or partial capture systems or with additional alternative compliance methods (e.g. anti-littering statutes, enhanced street sweeping, catch basin cleaning, trash/recycling pick-up, public outreach, and community clean-up programs) to exceed 99% compliance, as the above listed 14 cities have done or plan to do. We recommend that the Regional Board deny this request until a minimum of 99% compliance is met.

We also have serious concerns about the request submitted by West Hollywood<sup>19</sup> to reduce the frequency of DGR studies from annually to once every five years. West Hollywood has achieved 94.5% compliance, with only vague and tentative plans for additional installation of full or partial capture

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<sup>2</sup> 2017 Los Angeles River Trash TMDL Annual Report for the City of Alhambra.

<sup>3</sup> Los Angeles River Watershed Trash TMDL: City of Arcadia Alternate Compliance Plan, December 2017.

<sup>4</sup> 2017 Los Angeles River Trash TMDL Annual Report for the City of Downey.

<sup>5</sup> Los Angeles River Watershed Trash TMDL: City of Glendale Alternate Compliance Plan, December 2017.

<sup>6</sup> 2017 Ballona Creek Trash TMDL Annual Report for the City of Inglewood.

<sup>7</sup> 2017 Los Angeles River Trash TMDL Annual Report for the City of Paramount.

<sup>8</sup> 2017 Los Angeles River Trash TMDL Annual Report for the City of Pico Rivera.

<sup>9</sup> 2017 Los Angeles River Trash TMDL Annual Report for the City of Signal Hill.

<sup>10</sup> 2017 Los Angeles River Trash TMDL Annual Report for the City of South Gate.

<sup>11</sup> Los Angeles River Watershed Trash TMDL: City of South Pasadena Alternative Compliance Plan, December 2017.

<sup>12</sup> Los Angeles River Watershed Trash TMDL: City of Temple City Alternative Compliance Plan, December 2017.

<sup>13</sup> 2017 Los Angeles River Trash TMDL Annual Report for the City of Monterey Park.

<sup>14</sup> 2017 Los Angeles River Trash TMDL Annual Report for the City of Monterey Park.

<sup>15</sup> 2017 Los Angeles River Trash TMDL Annual Report for the City of Pasadena.

<sup>16</sup> 2017 Los Angeles River Trash TMDL Annual Report for the City of Burbank.

<sup>17</sup> 2017 Los Angeles River Trash TMDL Annual Report for the City of Long Beach.

<sup>18</sup> 2017 Los Angeles River Trash TMDL Annual Report for the City of South El Monte.

<sup>19</sup> 2017 Ballona Creek Trash TMDL Annual Report for the City of West Hollywood.



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systems. There is still work that must be done, through installation of additional full or partial capture systems or with additional alternative compliance methods to exceed 99% compliance. We recommend that the Regional Board deny this request. A subsequent request may be considered if and when West Hollywood achieves a minimum of 99% compliance.

Water does not recognize city boundaries. Trash contamination in one area can be transported to the surrounding region, either by downstream flow or due to wind transportation. Considering this potential for trash transport throughout a watershed, all cities must adhere to the same requirements. We recommend that the Regional Board only consider requests to reduce the frequency of DGR studies from annually to once every five years if and when 99% compliance is achieved, or is reasonably expected as a result of clearly defined source reduction plans. Additionally, if significant changes in land use are identified within a Trash TMDL Annual Report, or if subsequent Annual Reports or 5-year DGR Study Reports identify any signs of regression significantly below 99% compliance, annual DGR study requirements must be reinstated.

Thank you for the opportunity to comment on the Trash TMDL Alternative Compliance and DGR Frequency Reduction requests submitted by various cities under the Los Angeles River Watershed and Ballona Creek Trash TMDLs. If you have any questions concerning this comment letter, please feel free to contact Annelisa Moe through e-mail at [amoe@healthebay.org](mailto:amoe@healthebay.org) or by phone at (310) 451-1500 X 139.

Sincerely,

Annelisa Ehret Moe  
Water Quality Scientist  
Heal the Bay

cc by e-mail: Mr. Ivar Ridgeway, Senior Environmental Scientist in Storm Water Permitting - Regional Programs, Los Angeles Regional Water Quality Control Board.  
[Ivar.Ridgeway@waterboards.ca.gov](mailto:Ivar.Ridgeway@waterboards.ca.gov)